

## ORDER

Pursuant to the mandate of the United States Court of

Appeals for the Fifth Circuit, this action has been remanded as
to the claims asserted by plaintiff, Wayne M. Klocke, Independent

Administrator of the Estate of Thomas Klocke, against defendant

Nicholas Matthew Watson ("Watson"). Because Watson never answered
the complaint before the claims against him were dismissed and
because plaintiff amended his complaint after such claims were
dismissed, the court is ordering plaintiff to amend to restate
only the claims he asserts against Watson, and not to add any
additional claims.

The court ORDERS that by September 30, 2019, plaintiff file an amended pleading to be titled "Plaintiff's Amended Complaint" in compliance with the pleading requirements of the Federal Rules

of Civil Procedure<sup>1</sup> and the Local Civil Rules of the United States District Court for the Northern District of Texas, and the judge-specific requirements of the undersigned, and that by October 14, 2019, Watson file an answer or other response to such Plaintiff's Amended Complaint in compliance with the requirements of the Federal Rules of Civil Procedure and Local Civil Rules of the United States District Court for the Northern District of Texas, and the judge-specific requirements of the undersigned.

The court further ORDERS that failure of any party to comply with this order may result in the imposition of sanctions, up to and including dismissal of plaintiff's claims or granting of a default judgment, as appropriate, without further notice.

SIGNED September 17, 2019.

JOHN MCBKYDE

Whited States District Judge

<sup>&</sup>lt;sup>1</sup>Plaintiff is to pay particular attention to, and comply with, the pleading requirements of Rule 8(a) of the Federal Rules of Civil Procedure, as explained and clarified by the Supreme Court in <u>Bell Atl. Corp. v. Twombly</u>, 550 U.S. 544 (2007), and <u>Ashcroft v. Iqbal</u>, 556 U.S. 662 (2009), as well as the requirements of Rules 9(b) and 10 of the Federal Rules of Civil Procedure.